

03-24-06

12W

Express Mail Number EV 533 736 423 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Aronson *et al.* Confirmation No.: 3332  
Serial No.: 10/657,554 Art Unit: 2633  
Filed: September 4, 2003 Examiner: Leung, Christina Y.  
For: *System and Method for Protecting  
Eye Safety During Operation of a  
Fiber Optic Transceiver* Attorney Docket No.: 60900-0197-US

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ A list of all patents, publications, applications, or other information submitted for consideration by the office.
- 1b. A legible copy of :
- ☒ Each U.S. foreign patent;
- ☒ Each publication or that portion which caused it to be listed on the PTO-1449;
- ☐ For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;
- ☒ all other information or portion which caused it to be listed on the PTO-1449.
- 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report.
- 1d. ☐ Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.

2. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):
- ☐ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
  - ☐ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
  - ☐ Before the mailing of the first Office action on the merits;
  - ☐ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
3. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.

*(Check either Item 3a or 3b)*

- 3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
- 3b. ☒ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
- ☐ enclosed
  - ☒ to be charged to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (order no. 60900-0197-US).

*(Item 3b to be checked if any reference known for more than 3 months)*

4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.

*(Check either Item 4a or 4b)*

- 4a. ☐ The Certification Statement in Item 5 below is applicable.
- 4b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
- ☐ enclosed.
  - ☐ to be charged to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (order no. ).
5. ☐ Certification Statement (applicable if Item 3a or Item 4a is checked)

*(Check either Item 5a, 5b or 5c)*

- 5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual

designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.

- 5c. ☐ Pursuant to 37 C.F.R. §1.704(d), each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
6. ☒ Copies of each cited U.S. patent and each U.S. patent application publication are not enclosed pursuant to the USPTO OG Notice dated 05 August 2003 waiving the requirement under 37 C.F.R. 1.98(a)(2)(i) for U.S. patent applications filed after June 30, 2003.

7. ☐ This application is a continuation application under 37 C.F.R. §1.53(b) or (d).

*(Check appropriate Items 7a, 7b and/or 7c)*

- 7a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 7b. ☐ Copies of publications listed on Form PTO-1449 from prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_, of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).
- 7c. ☐ Copies of the publications listed on Form PTO-1449 were not previously cited in prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_, and are provided herewith.
8. ☐ This is a Supplemental Information Disclosure Statement. (Check Item 8a)
- 8a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on \_\_\_\_\_. A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on \_\_\_\_\_.
9. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

*( Check Item 9a, 9b, or 9c)*

- 9a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 9b. ☐ set forth in the application.
- 9c. ☐ enclosed as an attachment hereto.

10. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (order no. 60900-0197-US).
11. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

Date: March 22, 2006



45,645

Dion M. Bregman

(Reg. No.)

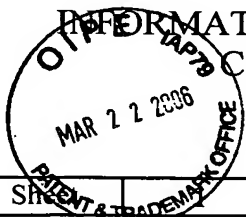

MORGAN, LEWIS & BOCKIUS LLP

2 Palo Alto Square

3000 El Camino Real, Suite 700

Palo Alto, CA 94306

(650) 843-4000

				<b>Complete If Known</b>	
				<b>Application Number</b>	10/657,554
				<b>Filing Date</b>	September 4, 2003
				<b>First Named Inventor</b>	Lewis B. Aronson
				<b>Art Unit</b>	2633
				<b>Examiner Name</b>	Leung, Christina Y.
		of	2	<b>Attorney Docket Number</b>	60900-0197-US

U.S. PATENT DOCUMENTS							
Examiner Initials	Cite No.	Document Number Number - Kind Code <sup>1</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Class	Subclass	Filing Date if Appropriate
		4,932,038	06/05/1990	Windus	375	4	
		5,268,949	12/07/1993	Watanabe et al.	377	33	
		5,576,877	11/19/1996	Aulet et al.	359	189	
		5,604,758	02/18/1997	AuYeung et al.	372	34	
		5,748,672	05/05/1998	Smith et al.	375	226	
		5,761,216	06/02/1998	Sotome et al.	371	27	
		5,854,704	12/29/1998	Grandpierre	359	189	
		6,256,127 B1	07/03/2001	Taylor	359	124	
		2002/0021468 A1	02/21/2002	Kato et al.	359	152	
		2002/0060824 I	05/23/2002	Liou et al.	359	152	
		2002/0101641 A1	08/01/2002	Kurchuk	359	189	
		2002/0105982 A1	08/08/2002	Chin et al.	372	38.02	
		2002/0181519 A1	12/05/2002	Vilhelmsson et al.	372	32	
		6,526,076 B2	02/25/2003	Cham et al.	372	29.011	
		2003/0053170 A1	03/20/2003	Levinson et al.	359	152	
		2003/0269790 A1	09/11/2003	Chieng et al.	372	34	
		6,631,146 B2	10/07/2003	Pontis et al.	372	20	
		6,661,836 B1	12/09/2003	Dalal et al.	375	226	
		6,694,462 B1	02/17/2004	Reiss et al.	714	724	
		2004/0076113 A1	04/22/2004	Aronson et al.	370	217	
		6,748,181 B2	06/08/2004	Miki et al.	398	195	
		2004/0122607 A1	06/24/2004	Fishman et al.	702	69	
		2004/0153913 A1	08/05/2004	Fishman et al.	714	724	
		2004/0253003 A1	12/16/2004	Farmer et al.	398	214	
		2005/0058455 A1	03/17/2005	Aronson et al.	398	135	
		6,937,949 B1	08/30/2005	Fishman et al.	702	69	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>2</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



<b>INFORMATION DISCLOSURE</b> <b>CITATION</b> PTO-1449				<i>Complete If Known</i>		
				<b>Application Number</b>	10/657,554	
				<b>Filing Date</b>	September 4, 2003	
				<b>First Named Inventor</b>	Lewis B. Aronson	
				<b>Art Unit</b>	2633	
				<b>Examiner Name</b>	Leung, Christina Y.	
<b>Attorney Docket Number</b>	60900-0197-US					
Sheet	2	of	2			

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document Country Code <sup>2</sup> - Number <sup>3</sup> - Kind Code <sup>4</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Class	Subclass	Translation	
							Yes	No
		WO 2004/098100	11/11/2004	Finisar Corp.	H04B	10/00		
OTHER NON PATENT LITERATURE DOCUMENTS								
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published						
		"Annex 48B (Jitter Test Methods)", <i>Analog Target Specification</i> , , IEEE, 01/2001, pgs. 6-14.						
		"I2C", Webopedia.com, <a href="http://www.webopedia.com/TERM/I/I2C.html">www.webopedia.com/TERM/I/I2C.html</a> , last modified 03/12/2002.						
		"MAC address", Webopedia.com, <a href="http://www.webopedia.com/TERM/M/MAC_address.html">www.webopedia.com/TERM/M/MAC_address.html</a> (no date).						
		"Public-Key Encryption", <a href="http://www.webopedia.com/term/p/public_key_cryptography.html">http://www.webopedia.com/term/p/public_key_cryptography.html</a> . (no date)						
		"The 7 Layers of the OSI Model", Webopedia, <a href="http://webopedia.internet.com/quick_ref/OSI-Layers.asp">http://webopedia.internet.com/quick_ref/OSI-Layers.asp</a> . (no date)						
		ATMEL, IR Receiver ASSP T2525, Product Information, Rev. 4657C-AUTO, 10/03.						
		Cai, Yi, et al., "Jitter testing for gigabit serial communication transceivers", <i>Design &amp; Test of Computers</i> , IEEE, vol. 19, Issue 1, Jan-Feb. 2002, pgs. 66-74.						
		Fairchild Semiconductor, "CMOS, the Ideal Logic Family", Application Note 77, 01/1983.						
		Fairhurst, Gorry, "Manchester Encoding", <a href="http://www.erg.abdn.ac.uk/users/gorry/course/phy-pages/man.html">www.erg.abdn.ac.uk/users/gorry/course/phy-pages/man.html</a> , 01/09/2001.						
		Infineon Technologies, OptiPort™ SFF BiDi®-Transceiver 100 Mbit/s, 1310 nm Tx/1550 nm Rx, V23870-A 1133-Kx01, Data Sheet, 06/22/2004.						
		National Semiconductor, <i>DS92LV16 Design Guide</i> , 02/2002.						
		Texas Instruments, <i>TLK1501 Serdes EVM Kit Setup and Usage, Users Guide</i> , SLLU008, 06/2000.						
		Texas Instruments, <i>TLK2201 Serdes EVM Kit Setup and Usage, Users Guide</i> , SLLU011, 06/2000.						
		Vaishali Semiconductor, <i>Fibre Channel Transceiver VN16117</i> , preliminary Product Information, MDSN-0002-02, 08/09/2001.						

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>2</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.